

ITALY REGAINED
TWO MOUNTAINS

Tomba and Pertica Again
Held Following Impetu-
ous Counter-Attacks

TEUTON PERIL IS
BEING HELD UP

Losses Very Heavy but the
Enemy's Exceeds the
Italians'

Rome, Nov. 24.—Powerful thrusts which were carried out yesterday by the Austro-Germans after heavy artillery preparation, on the Italian mountains from the Asiago plateau to the Brenta river all failed, the war office announced today.

Italian Headquarters, Friday, Nov. 23.—(By Associated Press).—The battle of the mountains is raging with unexampled violence. The Italians again hold Monte Tomba and Monte Pertica, positions which they lost last night. The losses have been very heavy, but the enemy's far exceed those of the Italians.

A high commanding officer on the field has summarized the fury of the present battles by declaring he could not say whom to commend for bravery as it would require a medal for the entire force engaged. A distinctive ribbon for bravery, he said, would stretch across the Italian front.

On the outcome of the mountain battle depends the result of the enemy's greatest effort to break through the Italian lines to the Venetian plain. The greatest blow was aimed at the strategic key of Monte Tomba and Monte Monferrato. Here the full force of two divisions, one German and the other Austrian, was hurled in a furious attack on the Italian right wing in an effort to turn the wing and cut off the army from the line of communication along the Piave.

The bloody battle went on all last night and to-day. What the outcome will be cannot be foreseen, but the Italian arms have again covered themselves with glory. Even the enemy yields tribute to Italian valor for prisoners they took, their forces were disconcerted by the impetuous bravery of the Italian troops.

BRITISH CAPTURED
OVER 100 GUNS

And They Have Made More Progress
into the German-Held Territory
West of Cambrai.

London, Nov. 24.—At various points west of Cambrai the British made progress yesterday, the war office reports today. More than 100 guns have been captured recently in this area.

The official communication given out last night was as follows:
"Operations continued to-day against the enemy's positions west of Cambrai. The latest reports show they are developing satisfactorily. The hostile artillery has shown great activity to-day in the neighborhood of Passchendaele."

ANCIENT MIZPAH
SITE WAS STORMED

British Won Another Victory in Pales-
tine But Mounted Troops Were
Forced Back at Another
Point.

London, Nov. 24.—The site of ancient Mizpah, 5,000 yards west of the Jerusalem-Nabulus road, has been stormed by the British, the war office announced today. Mounted troops, which had advanced northward, were forced back by the Turks.

GOMPERS RE-ELECTED

President of American Federation of La-
bor at Buffalo.

Buffalo, N. Y., Nov. 24.—Samuel Gompers was re-elected president of the American Federation of Labor at the closing session of the 37th annual convention today.

Buffalo, N. Y., Nov. 24.—The American Federation of Labor last night, by a unanimous vote, adopted a statement of the conditions and principles that must be applied to industrial problems arising from the war so far as union labor is concerned.

The declaration is regarded as in line with the general understanding that has existed between President Wilson and President Gompers, but there are some points that have been in doubt which the statement clarifies.

The declaration does not say there shall be no strikes.

"It is advisable," the final paragraph says, "that production should not cease because of an apparent injustice or oversight contained in an award, for it is necessary to the nation's production as well as the welfare of the trade union movement that there should be no cessation of work except as a last resort."

SENTENCED FOR STEALING.

One of Four Men in St. Albans Court
Gets Year's Term.

St. Albans, Nov. 24.—Albert S. Watersman of Enosburg was arraigned before Judge N. P. Post in city court yesterday, charged with breaking into the house of Mr. Woodward at Enosburg Falls. He was found guilty and sentenced to serve not less than one year nor more than 18 months at hard labor in the house of correction.

Leonard Church of this city was found guilty of breaking into Badger & Rebold's store the night of Oct. 6 and was sentenced to not less than two nor more than three years at hard labor in the state prison at Windsor. George Rand was sentenced to not less than five nor more than six months in the house of correction for the larceny of a harness and other property from Hiram P. Sweeney.

Thomas Watson of Enosburg was sentenced to pay a fine of \$20 or serve an alternative sentence of 60 days in the Franklin county jail for the larceny of a coat from H. Harris' store a few nights ago. He will serve the sentence.

AMERICAN TROOPS
IN EUROPE INCREASE

Sec. Baker Says the Number There is Up
to the Expectation of the War
Department at the Outset.

Washington, D. C., Nov. 24.—Arrival of American troops in France has kept pace with the expectation of the war department, Secretary Baker said last night in the first statement he has ever authorized in connection with the progress being made in increasing General Pershing's forces. Mr. Baker declined, however, to state the number of troops forwarded, or to indicate whether he anticipated delay from this time. Movement of the forces, he said, depended on two elements, the training and equipment of the men and the availability of ships. "As fast as they are ready, ships and men will be combined," the secretary said. "As many American troops are now overseas as we expected in the beginning to have overseas at this time."

Mr. Baker indicated that an official statement of the number of American troops in France was not to be expected at any time during the war. He caused an inquiry to be made of the military censor, Major-General McIntyre, however, which may result in more liberal regulations as to publication of the designations of regiments, brigades or companies which are engaged in action on the front from time to time. If there is no sound military reason for suppressing that information, Mr. Baker said, he desired to give it out.

The secretary's attention was called to the fact that the British official statements recently have named at least by geographical designation the troops used in various offensives. Apparently a new policy in this regard has been adopted in London and the war department may do likewise.

DENIES AUTHORITY
OF BOLSHEVIKI

Russian Embassy at Washington Makes
Formal Notification to State
Department.

Washington, D. C., Nov. 24.—Ambassador Bakhtoff of Russia formally notified the state department today that the embassy does not recognize the authority of the extremists now in control of the foreign office at Petrograd.

In a letter to Secretary Lansing, following the resignation of three of the chief officers of the embassy, the ambassador said that the Bolsheviki government was not representative of the true will of the Russian people and he would not recognize that or any similar government which would lead the country into non-participation in the war.

He said he considered himself in duty bound to remain at his post and would do so with a competent staff.

The three chief officers who separated themselves from the embassy today were C. Omon, counselor, John Sookin, first secretary, and F. DeMoprenchidit, second secretary.

SAYS FINANCIERS
HAD SECRET PLANS

Leon Trotsky Instigated the Publishing
of Confidential Communications
Between Russia and Other
Nations.

Petrograd, Friday, Nov. 23.—The text of the confidential communications between the Russian foreign office and foreign governments was published today by Bolsheviki newspapers at the instigation of Leon Trotsky. He says that from the documents all the nations in the world must learn of the plans secretly made by financiers and trades through diplomatic agents.

London advises say that 17 documents, including secret treaties and telegrams, were published.

ALMOST UNFRIENDLY ACT.

Bolsheviki Move for an Armistice with
Germany.

Washington, D. C., Nov. 24.—Officials of this government regard the Bolsheviki move for an armistice between Russia and her enemies and the opening of immediate negotiations as an act that would place Russia almost in the list of unfriendly nations.

Press dispatches telling of the peace movement were confirmed by a cablegram from Ambassador Francis received yesterday at the state department. It is said that Leon Trotsky, national commissioner for foreign affairs in the Bolsheviki government, has sent formal notification to diplomats at Petrograd that his government had proposed an armistice with a view to immediate peace negotiations.

Ambassador Francis has been given no instructions to deal with the Bolsheviki government. In reporting to the state department on the peace move, he made clear that he had not formally acknowledged receipt of the Trotsky note. He said he had been advised that the Soviet congress had adopted a resolution instructing generals at the front to enter into negotiations at once with German commanders relative to a three months' armistice, with instructions to report to the congress.

Reports that Russia was seeking peace created great interest in official and diplomatic circles, and every dispatch from Petrograd was analyzed during the day with the hope that some promise might be found that Russia would continue the fight against the common enemy.

GOING TO MEET BOLSHEVIKI.

Gen. Von Ludendorff to Take Up Offer
of Truce.

Amsterdam, Nov. 24.—According to advices received here, General von Ludendorff, first quartermaster-general of the German armies, has started for the eastern front in connection with the Russian offer of a truce. He is said to be accompanied by a numerous staff.

LOANS TO RAILROADS.

Were Argued Before Interstate Commerce
Commission.

Boston, Nov. 24.—Immediate government financial aid for American railroads was advocated by Frederick H. Prince, banker and railroad expert and former Mayor John F. Fitzgerald of this city at yesterday's session of the interstate commerce commission hearing on freight and passenger rate increases for New England roads.

U.S. DESTROYER
SANK A U-BOAT

After Making Hit Tried to
Save Submarine by a
Tow Line

BUT GERMAN SHIP
SOON DISAPPEARED

U-Boat Apparently Shat-
tered by Deadly Depth
Bomb

Washington, D. C., Nov. 24.—Definite news of the destruction of another German submarine by American destroyers reached the navy department today in a cable report from Vice-Admiral Sims. The submarine, damaged by a depth bomb, went down with all on board after a destroyer had attacked a line and was attempting to take her in tow.

Two destroyers took part in the action. On sighting the periscope at 400 yards a destroyer headed for it and dropped a deadly depth bomb. Soon afterwards the submarine came to the surface with no sign of life aboard. A second destroyer steamed up and attached a line, but the U-boat, apparently shattered by the bomb, went to the bottom.

DISPUTE OVER CHILD.

Caused Court to Decide Girl Was Not
Well Enough to Go Visiting.

Brattleboro, Nov. 24.—After being in continuous session since September 11, or more than 10 weeks, the September term of Windham county court took final adjournment at 3:20 o'clock yesterday afternoon. In the matter of the custody of Hazel Blanding, nine, of Guilford, whose father, A. J. Blanding of Brattleboro, claims that the court's order that she be brought here every Sunday to spend the day with him was not being carried out, the court held that the testimony of physicians indicated that the girl's condition did not warrant her being taken away from home. No order was made in the case.

Dr. W. H. Lane went to see the child yesterday morning and said she was normal and could be brought here safely, but Dr. George H. Anderson, who performed an operation upon her for appendicitis a few months ago and Dr. H. L. Waterman, who has attended her, thought she ought to remain at home for the present.

The court denied the motion to set aside the verdict of \$1 in the case of the England Box company of Greenfield, Mass., against J. C. Taft of Townshend and J. C. Tibbitts of Newfane. This was a case in which the plaintiff sued for damages for alleged failure to carry out a lumber contract and the court directed the jury to return a verdict for the plaintiff.

POOLING RAILWAY
INTERESTS PLANNED

Conference Held at Washington with
Government Officials in Order to
Prevent Congestion.

Washington, D. C., Nov. 24.—A plan for pooling the entire railway equipment and traffic of the United States was taken up at a conference today between government officials and the railroad heads. The congestion has reached a stage, it is realized, where radical measures must be put in force if the country's traffic is to be moved.

TO PROSECUTE FOOD DEALERS.

Who Have Failed to Secure Licenses,
Says Hartness.

Springfield, Nov. 24.—The institution of proceedings against food manufacturers and dealers affected by President Wilson's proclamation of Oct. 8, who have not secured licenses, will be undertaken by the government if such licenses are not immediately secured, according to a statement issued at the office of Food Administrator James Hartness last night.

Mr. Hartness is in receipt of the following from Federal Administrator Hoover:
"The manufacturers and dealers covered in the president's proclamation of Oct. 3 should have applied for license to the license division of the United States food administration, Washington, before Nov. 1. Some firms have not applied and proceedings will be immediately instituted to suspend trading operations of such firms unless applications are received at once."

The president's proclamation calls for the licensing of manufacturers and distributors of some 20 fundamental foods. Meat packers, cold storage houses, millers, canners, elevator grain dealers, and wholesale dealers and retailers making a business of more than \$100,000 in the commodities designated are affected. An important regulation affecting these trades reads as follows:

"The licensee shall place on every contract, order, acceptance of order, invoice, price list and quotation issued or signed by him, relating to food commodities, the words, 'United States food administration license number,' followed by the number of his license. No licensee shall knowingly buy any food commodities from or sell any such commodities to any person required to have a license, who has not secured such license and complied with the provisions of this rule."

Mr. Hartness said that all complaints of infringement of this rule should be made to him.

FOUND BOMB NEAR BRIDGE.

With It Were Instructions Printed in
German.

New York, Nov. 24.—An employee of the street-cleaning department discovered a bomb wrapped in a newspaper in a heap of rubbish on a city street near the Brooklyn anchorage of the Williamsburg bridge yesterday. With the bomb were two packages of powder used for signal lights with instructions for their use printed in German, which, translated, read:

"Light this if coast is clear," and "Light this if there is danger."

GET COMMISSIONS
THIS AFTERNOON

Plattsburghs Who Have Earned Them
Will Be Known To-morrow—Some
Ordnance Commissions Given
Yesterday.

Plattsburgh, Nov. 24.—Col. Paul A. Wolf, camp commander, has arranged to give the commissions to the list of names of the training candidates who have earned commissions as the result of three months' intensive training late this afternoon.

The force working on the lists were compelled to work until early this morning and then had not completed the task, the war department having sent in many telegrams containing large lists of names for reconsideration and this upset the commander's plans of sending out the names last night.

This afternoon the men will receive their parchment certificates of commission and at the same time, continuing throughout Sunday, the quartermaster will begin paying the men for the month of November, so that there will be no delay in getting the cadets out of the camp beginning at 1 o'clock Monday afternoon.

Headquarters handed out yesterday the names of 62 New Englanders who had been commissioned in the ordnance department. In this list was the name of George S. Merrell of Barre with the rank of first lieutenant.

ST. ALBANS SUGAR
FAMINE AVERTED

When H. P. Hood & Sons Released About
4,000 Pounds of Its Own Supply to
St. Albans Merchants.

St. Albans, Nov. 24.—After a few days' negotiation, the home office of H. P. Hood & Sons, showing a spirit of co-operation with the federal food administration for Vermont, has permitted the local manager of the concern to release about 4,000 pounds of sugar to local merchants. The concern uses a large amount of sugar in condensing and has a week's supply here for that purpose and was asked to release some of it to local merchants.

The merchants here think that if this supply is judiciously sold and used it will last for two weeks.

SETTLED IN BARRACKS.

Private W. A. Carroll, Jr., of Barre Is
Well Situated.

A letter received by Mr. and Mrs. William A. Carroll of Washington street comes from their son, Private W. A. Carroll, Jr., a member of the American expeditionary forces assigned to the 6th company, 101st ammunition train. He writes as follows:

Dear father and mother: Will write you a few lines now that we are settled in a permanent camp. We were nearly two weeks getting here from America, but we arrived safe and sound. I am in good health and hope this finds you all the same. We are not allowed to write everything we wish to, but I will tell you about the country here. The weather is much the same as at home, although there is not the snow that we have. It only snows about six or eight inches at a time and lasts but two or three days. They have lots of rain here to make up for the snow that we get. This is a great fruit country. Apples and pears are the chief fruit. They are so plentiful that they are spoiling in the orchards for the lack of help to pick them up. They would find a good market in New England. Cider is made here and the chief beverage is wine and cider, red and white wine. I will be a regular Frenchman when I return. I have made the acquaintance of some French soldiers down here. They talk their tongue easily. Have no trouble at all in speaking with them. And if we stay here three years I will forget my English, as I do not speak English any more than I have to.

We are living in large barracks at this camp. Also, we have steel beds and real mattresses to sleep on. Almost like home to us. We are getting good food here. Have had plenty of hardtack, but getting bread now. The summer has gone by so fast that now we do not realize that winter is almost here. The surrounding country is a fine one. A great deal of New England, because of the mountains. Nearly forgot to tell you about the steam cars. They are some cars, believe me, eight men in one part and four parts to each car, although they travel pretty fast. The engines resemble the dump engines on the quarries. Billy.

BACK FROM TRENCHES.

George Bruce, Barre Boy, Is Visiting in
Town on Leave.

Private George Bruce of a Canadian regiment is visiting at the home of Charles Caye of South Main street and with other friends in Barre while enjoying a 14 days' leave of absence from the trenches. Mr. Bruce, who was employed for many years in the Barre granite industry, went to Canada after the outbreak of the war and enlisted in a contingent bound overseas. For eight months he served in the trenches and while he is naturally reticent concerning some of his experiences and observations, he has given his friends many an insight into conditions in France. Private Bruce expects to return to Montreal, P. Q., within a few days.

VERMONT LEGAL ADVISORS

Have Been Named in Connection with
Draft Machinery.

Governor Graham has received from President Wilson his approval of the appointment of legal advisors for Vermont in connection with the draft, the recommendation for appointment having been made by Governor Graham two weeks ago following conferences with representatives of legal associations in Vermont. Owing to the fact that certain statements must be sent out with the appointment, the announcement of the names is deferred to next Tuesday or Wednesday.

HALF OF COUNTY REPORTED.

Moretown Gave \$400.25 for Y. M. C. A.
War Work Fund.

Half the cities and towns of Washington county have made official report of their Y. M. C. A. war fund subscriptions to Frank G. Howland, treasurer of the county campaign. The new towns reporting and their amounts are as follows:

Cabot \$147.36
Rehoboth 150.00
Moretown 400.25

MAY SEIZE
COAL MINES

Government Threatens the
Michigan Operators if
They Do Not Accede
TO REGULATION
ON PRICES FIXED

New England to Get Benefit
of Order Issued by
Garfield

Washington, D. C., Nov. 24.—Michigan coal operators were warned by Fuel Administrator Garfield today that the government will take over and operate their mines if they carry out their threat of refusing to sell coal at the government fixed prices to relieve the coal shortage in New England.

Mr. Garfield today directed all coal mines which are under contract to supply New England customers with coal by water carriers to deliver their maximum monthly requirements. The order will become effective Dec. 1.

New England is said to be suffering worse for coal now than any other part of the country. Many industries face an actual shortage and some, it is declared, will have to shut down unless they are supplied immediately. The situation is more so bad in the middle West, which has been supplied temporarily by lifting the priority order for one day at two different times.

NEW ENGLAND SUFFERS.

Some Industries May Have to Shut Down
for Lack of Coal.

Boston, Nov. 24.—New England faces a coal crisis of the gravest character. Unless relief is given at once, the National Coal association says, many industries will have to shut down.

James J. Storrow, New England fuel administrator, will leave for Washington to-night for the purpose of making a personal appeal for coal for New Englanders.

Coal famines threaten many New England cities, especially cities and towns in Maine, and with Mr. Storrow will go James C. Hamlen, state fuel administrator of Maine. It is probable that administrators of other states will also accompany Mr. Storrow.

According to reports from other New England states, practically every small community is threatened with a coal famine.

County chairmen in many of the rural districts of Maine report that unless a supply of coal is forthcoming in the near future there is a lack of actual suffering and the same conditions are reported to exist in the rural districts of Vermont, New Hampshire and Rhode Island.

ATTENDED RATE HEARING.

C. D. Waters of Montpelier & Wells
River R. R. Returns.

C. D. Waters, general passenger and freight agent of the Montpelier & Wells River railroad, returned last night from Boston, where he has been attending the hearing that has been in progress before the interstate commerce commission relative to an increase in freight rates and probably mileages in passenger service. He does not think there is danger of losing the use of mileages because the statutes of most of the states in this section of the country provide that mileages shall be issued in each state by the railroads. Vermont is included in that number. Of course the railroad companies would like to get rid of these and some of them advance the idea that the man who has 75 cents a mile should be given the same price for a ride between the same points.

Relative to the increase in freight rates as asked for he had not reached an opinion in the matter. There was a great deal of valuable information presented, which shows reasons why the increase should be allowed. Probably further information will be sought by the commission. The public service commissions of the New England states and New York attended the hearings. Vermont's commission took but little part in the discussion but the Massachusetts commission appeared particularly antagonistic to the increase in rates.

DIED AT EAST CALAIS.

Fred A. Burnham Died Friday Noon After
Working That Forenoon.

East Calais, Nov. 24.—Fred A. Burnham, a long-time resident of this town, died suddenly at his home here Friday noon, the cause being neuritis about the heart. Mr. Burnham had apparently been as well as usual and he worked Friday forenoon. The funeral will be held at the Union church Monday afternoon at 2 o'clock and interment will be in the Bliss cemetery, beside his first wife.

Mr. Burnham was born in Woodbury Jan. 3, 1855, the son of Mr. and Mrs. J. Burnham. He married Hattie Pierce, and three sons were born to them, Dean, Lewis and Wayne Burnham. Mrs. Burnham died 18 years ago and ten years ago Mr. Burnham married a second time, his wife being Etta Haskins, who survives him, together with the three sons mentioned and a brother, Horace Burnham, of Marshfield.

Mr. Burnham had lived for a long time on a farm on the east hill till two weeks ago when he sold the farm and bought a house in this village. He was a good citizen and the members of his family have the sympathy of a large circle of people.

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FATAL DRAUGHT
FOR AGED MAN

Curtis Emery, Hostler Out
of Work, Probably Took
Carbolic Acid

WAS UND DYING
IN LIVERY LOFT

The
attempts of Bottle Ly-
Near Are to Be
Analyzed

Symptoms of carbolic poisoning in the death of Curtis Emery, an elderly hostler, who passed away this forenoon after a brief illness, have prompted the authorities to investigate the circumstances surrounding his demise and it is probable that an autopsy will be held. There are no indications of foul play in the case, but there is a question whether a draught, apparently from a bottle found at the man's bedside, was taken with suicidal intent. The authorities incline to the suicide theory, albeit the contents of the bottle are to be analyzed.

Emery was removed to the city hospital early in the forenoon and death ensued around 10:30 o'clock. The body was removed to the undertaking establishment of Perry & Noonan in Depot square, where preparations were made for an autopsy this afternoon. Meanwhile the police are trying to locate relatives of the man.

The deceased had been employed in local livery barns for several years. Last Monday he completed work in the Jones & Nye livery and soon thereafter applied for employment to James Gow at the South Main street stables. Mr. Gow told him that he had plenty of help, but consented to let him use a bed in the loft of the barn until he should find employment. So Emery headed each night for the Gow stable and slept in the bed assigned him, assisting the hostler with the chores, night and morning, for his lodging. Employees of Mr. Gow learned from him that he had no other place to stay.

Sometime early last evening Emery ascended the stairs to the loft and nothing was heard of him till morning. Early to-day George Jacobs, the head hostler, shouted up through the scuttle hole to see what was the matter. Jacobs, he went to the loft and shook the sleeping figure. According to Jacobs, the man seemed to be aware of his presence and the hostler descended the stairs, expecting to be joined by Emery in the morning chores. Around 8:30 o'clock Mr. Gow was at his desk in the office directly under the loft when he heard a strange noise upstairs. Mounting the stairs he gained the loft in time to see Emery struggling for breath. The liveryman, noticed that he frothed at the mouth considerably and either refused or was unable to answer questions. Whereupon Dr. J. W. Woodruff was summoned and police headquarters were notified.

Upon the advice of Dr. Woodruff the man was removed to the hospital. The police took possession of a half-pint bottle which was found on the floor by the bed. It contained a few drops of a reddish-yellow fluid and had the odor of carbolic acid. Efforts to obtain a statement from the sick man were unsuccessful and before he reached the hospital he had become unconscious. Thereafter the coma continued until death. Had but in the patient's mouth, according to the doctors, testified to the ferry nature of the liquid drunk by him. After the death Health Officer Dr. J. W. Stewart was notified and permission was given to remove the body.

For some years Emery has been a familiar figure among horsemen and others who frequent livery barns. Little is known of his family connections and his age is variously reckoned from 60 to 70 years. Latterly he had been employed by Jones & Nye and at the Johnston & Gamble livery on Prospect street. Men at the Gow stable were of the opinion that a brother of Emery lives in Topsfield or Washington.

DENIES BOTTLE SALE.

J. Edward Murphy Also Knows Nothing
of Liquor Selling to Norwich Cadets.

Evidence in the case of J. Edward Murphy, a Merchant street licensee of the first class, who was summoned before the county commissioners to show cause why his license should not be revoked, was completed late yesterday afternoon. Findings of the commission have not been announced and it is doubtful whether a decision will be reached before Monday or Tuesday, as the commissioners wish to study the testimony, a transcript of which was prepared by the stenographer to-day.

More of the students from Norwich university were placed on the stand by the state soon after the hearing was resumed in the afternoon and when the last cadet had testified, the state rested. Atty. J. Ward Carver then called to the stand the defendant, Mr. Murphy, two of his bartenders and a number of men who were in the saloon on the night when Russell A. Wentworth, a Norwich freshman, is alleged to have purchased liquor in bottles and over the bar. Their testimony was largely a refutation of the statements made by Wentworth and corroborated by his schoolmates.

The first witness in the afternoon was Cadet Wendell Smith, who succeeded John L. Raymond, another student, on the stand. Smith's testimony was corroborative of the story told by Wentworth so far as it related to the trip from Northfield to Barre and the presence of cadets at a dance in Howland hall. Ola A. Nelson, who gave his age as 20 years and five months and said he was a resident of Natick, Mass., told the commissioners that he was a junior at Norwich, that he was near the bar at the Norwich contingent in Barre last Saturday night and that he visited the Murphy saloon. He had been in the same saloon three times since he returned to Norwich in the fall and previously he visited the establishment on different occasions last year, perhaps five or six in all. He told of motoring to Montpelier Saturday and of joining his comrades at the Central Vermont station, the party proceeding to Barre by train. Nelson's version of the trip to the hotel and thence to the saloon tallied with that of Wentworth, who was afterward arrested for intoxication.

Asked by State's Atty. Earle R. Davis if he was aware that bottles of liquor were purchased by Wentworth, Nelson replied in the affirmative. He said that the transaction took place near the desk at the street end of the bar and that he stood just back of Wentworth when the latter slipped him a pint. For the reason that Wentworth stood in front of him, he did not see where his friend obtained the whiskey. On the cross examination Attorney Carver asked Nelson if he bought a pint of whiskey, and the witness replied in the negative. Whereupon it was brought out in the attorney's line of inquiry that Nelson did buy a pint, that he paid Wentworth for the pint as soon as they left the saloon. On the redirect examination it came out that Nelson saw Cadet Pierce get a pint from Wentworth in the saloon. There were questions concerning the presence of a label on the bottle obtained by Nelson and the witness was uncertain whether it bore a label or not. "How many times did you look at the bottle during the evening?" asked the state's attorney. An audible snicker in the council chamber broadened into a stifled groan as Nelson answered "After each dance."

With that the state rested and Attorney Carver called the defendant to the stand. Mr. Murphy testified that he never saw the cadets before that day in the council chamber, that none of them ever bought a drink in his establishment, and that never, to his knowledge, were any of them able to purchase liquor by the bottle or by the drink in his place. It developed that the licensee was present throughout the two evenings mentioned in the specifications, except for a few moments taken for lunch. William Walker, the bartender, who was alleged by the state to have figured in the bottle transaction, next took the stand. He testified that Wentworth and another cadet, whom he pointed out, were in the Murphy saloon some time after 9 o'clock on the evening of Nov. 17. Before that time he had not seen them. Wentworth was drunk, the witness testified, and when he made his way to the bar and asked for a drink, the witness refused him. The bartender denied emphatically the charge that he sold to the students. He was cross examined briefly. Atty. Carver, another bartender, testified that he worked in the saloon last Saturday, that he did not see any of the students in the place, and that he did not sell any bottles of whiskey to them.

The rest of the defendant's case had to do with the testimony of four men who claimed to have been near the desk from around 7:15 o'clock last Saturday night to 9:20, or thereabouts. All of them testified to seeing the bartender refuse Wentworth around 9 o'clock, and while they agreed that they went to the desk, none of them saw Wentworth before 9 o'clock and witnessed no attempt to sell liquor to him by the bottle or over the bar. James Taylor, a granite cutter, was the first to testify and he told of being at the head of the bar, near the street, from 7:15 till after 9. Sometime between 9 and 9:15, the witness continued, he saw someone coming along Merchant street, as if from Summer street. He remarked on the fellow's condition to his comrades and then the young man, accompanied by another young man, entered the saloon, only to be refused a drink by the bartender, Walker. Witness identified Wentworth and his companion and stated